

REMARKS

The Office Action dated December 28, 2007, has been received and carefully noted. The above amendment and the following remarks are being submitted as a full and complete response thereto.

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

As a preliminary matter, the Applicant acknowledges with appreciation the indication of allowable subject matter in claims 16-17 of the present application.

By the foregoing amendment, claims 1, 7, 15 and 16 have been amended. Support for the amendments may be found in Figs. 3 and 4, and in the descriptions corresponding to Figs. 3 and 4 of the present application. No new matter has been added.

Claim Rejections under 35 U.S.C. 103(a)

In the outstanding Office Action:

Claims 1-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,369,622 (Lim) in view of U.S. Patent No. 6,529,051 (Tokumitsu) and U.S. Patent No. 7,298,808 (Rey);

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lim. in view of Tokumitsu and U.S. Patent No. 6,545,481 (Emberty);

Claims 15 and 18-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Tokumitsu and U.S. Patent No. 6,100,731 (Otaka) and further in view of

Emberty;

Claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Tokumitsu and Rey, and U.S. Patent No. 6,072,374 (Takahashi); and

Claim 24 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Tokumitsu and Rey and U.S. Patent No. 4,658,323 (Dougherty).

The rejections are respectfully traversed.

Rey teaches that Stuff requests are produced on the basis of phase comparisons relative to a threshold level which is cyclically varied or modulated with a waveform having the same period as the stuffing "superframe" (column 1, lines 53-56).

Thus, Rey teaches phase comparisons and a threshold level is cyclically varied or modulated.

It is thus concluded that Rey fails to disclose "a comparator section comparing the combined waveform with a variable comparison threshold voltage based on a frequency of a multiplied waveform", as recited in currently amended claim 1 and it is impossible to conceive the invention of claim 1 in combination of Rey with Lim and Tokumitsu. Therefore, the invention of claim 1 is not obvious over Rey, Lim and Tokumitsu, taken individually or in combination, and is therefore allowable.

Since independent claim 1 does not fall within 35 U.S.C. 103(a) as argued in the foregoing paragraphs, claims 2-24 directly or indirectly depending from claim 1 are also allowable.

Accordingly, the Applicant respectfully requests withdrawal of the rejections.

For all of the above reasons, it is respectfully submitted that claims 1-24 are in condition for allowance and a Notice of Allowance is earnestly solicited.

Should the Examiner determine that any further actions necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to change any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing attorney docket number 024016-00026.

Respectfully submitted,

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